

REMARKS

The Office Action dated March 7, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 31-34, 36-57 and 73-75 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added and no new issues are raised which require further consideration or search. Claims 31-59 and 73-75 are submitted for reconsideration.

Claims 58-59 have been rejected under 35 U.S.C. §101 because the Office Action alleged that the claimed invention is directed to non-statutory subject matter. Applicants have amended claims 58-59 into apparatus claims. In addition, the apparatus of claim 58 has been amended to include proper apparatus elements, (e.g., a processor and a transmitter). Accordingly, Applicants submit that claims 58-59 are directed to statutory subject matter. Withdrawal of the rejection of those claims is kindly requested.

Claims 31-34, 36-59 and 73-75 have been rejected under 35 U.S.C. §112, second paragraph, because the Office Action alleged that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention.

Regarding claims 31, 53 and 57-58, Applicants submit that the term “both” is referring to the two dimensions of the matrix. Claims 31, 53 and 57-58 have been amended to replace “two” in place of “both” to clearly recite that the “two” matrix

dimensions which define the matrix dimensions of the transmission code matrix are greater than the corresponding matrix dimensions of the transformed transmit diversity code matrices. Accordingly, Applicants submit that claims 31, 53 and 57-58 contain clear and concise claim language that is not indefinite. Withdrawal of the rejection of those claims is kindly requested.

Regarding claims 33 and 55, Applicants submit that the term “linear transformations” is properly recited. Both claims 33 and 55 are dependent upon claims 31 and 53, respectively, which recite “linear transformations” on line 14 of claim 31 and on line 14 of claim 53. Accordingly, Applicants submit that claims 33 and 55 do have proper antecedent support for the term “linear transformations.” Withdrawal of the rejection of those claims is kindly requested.

Regarding claims 38-39, Applicants submit that the terms “the first transformed” and “the second transformed” are properly recited. Claim 38 is dependent upon claim 31 which recites “at least two transformed transmit diversity code matrices” on line 8 of claim 31. Claim 38 refers to the “at least two transformed transmit diversity code matrices” individually by properly referring to them as the “first” and “second” to show the differences in how the at least two transformed transmit diversity code matrices were constructed. Accordingly, Applicants submit that claim 38 does have proper antecedent support for the terms “the first transformed” and “the second transformed.” Withdrawal of the rejection of those claims is kindly requested.

Regarding claim 39, Applicants submit that the term “the orthogonal transmit diversity code matrices” is properly recited. Claim 39 is dependent upon claim 34 which recites “the at least two transmit diversity code matrices are orthogonal transmit code diversity code matrices.” Claim 39 refers to the “orthogonal transmit code diversity code matrices” properly as it depends on claim 34. Accordingly, Applicants submit that claim 39 does have proper antecedent support for the term “orthogonal transmit code diversity code matrices.” Withdrawal of the rejection of claim 39 is kindly requested.

Regarding claims 41 and 42, Applicants submit that the term “the conversion” is properly recited. Claims 41-42 are dependent upon claim 31 which recites in the last word of the claim “conversion” Claims 41-42 simply refer to the “conversion” to further define the conversion. Accordingly, Applicants submit that claims 41-42 do have proper antecedent support for the term “conversion.” Withdrawal of the rejection of claims 41-42 is kindly requested.


Claims 32, 40, 46 and 54-56 have been objected to for containing minor claim informalities. Claims 32 and 54 have been amended to recite “said” as suggested by the Office Action in order to provide proper antecedent basis for the claimed terms. Claim 40 has been amended to indicate the term “T” is equal to at least one. Claim 46 has been amended to recite “at least” as suggested by the Office Action in order to provide proper antecedent basis for the claimed terms. Accordingly, Applicants submit that claims 32, 40, 46 and 54-56 all have proper antecedent support for the claim terms described therein. Withdrawal of the objection of claims 32, 40, 46 and 54-56 is kindly requested.

In view of the above amendments, Applicants submit that all of the pending claims 31-59 and 73-75 are in condition for allowance. Withdrawal of all outstanding rejections and objections and an allowance of claims 31-59 and 73-75 is earnestly solicited.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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